

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 86-56

AN ORDER AMENDING ORDER NO. 85-104
WASTE DISCHARGE REQUIREMENTS FOR:

TECHNICAL COATINGS AND BENJAMIN MOORE AND COMPANY
SANTA CLARA
SANTA CLARA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter called the Board) finds that:

1. On September 18, 1985, the Regional Board adopted Order No. 85-104 prescribing waste discharge requirements for Technical Coatings and Benjamin Moore and Company, Santa Clara (hereinafter referred to as the discharger).
2. The discharger has manufactured paints at this facility since 1950. Solvents and other chemicals used onsite were stored in 14 underground storage tanks.
3. Subsurface investigations conducted onsite detected solvents and other chemicals in the soil and groundwater including toluene, xylene, ethyl benzene, benzene, naphthalene, chloroform, cresol, methyl cyclohexane and methyl isobutyl ketone.
4. The dischargers reported that the 14 underground storage tanks, believed to be the source of soil and groundwater pollution, were discontinued as storage units and emptied following detection of groundwater pollution in 1983. Thirteen of the existing 14 tanks were removed by September 18, 1985. The remaining tank, located under a building, was filled with concrete as specified by the City of Santa Clara Fire Department for tanks to be left in place.
5. Order No. 85-104, provides, in part as follows:

"Provision C.1.

The discharger shall report to the Board by November 1, 1985 on the proposed method of treatment and discharge of extracted groundwater from the interim cleanup program..."

"Provision C.2.

The discharger shall report to the Board quarterly, commencing on December 1, 1985, on the effectiveness of the interim groundwater cleanup program. These reports shall include pollution concentration contour maps."

"Provision C.3.c.

In order to comply with Specification B.3., the dischargers shall define the lateral and vertical extent of pollution

by July 1, 1986."

"Provision C.5.

In order to comply with Specification B.5., the dischargers shall submit a report to the board by July 1, 1986 which contains a proposal for full containment of the entire groundwater plume..."

6. The discharger has requested extensions for submittals of the above reports due to delays in obtaining permission from the downgradient property owner to install offsite monitoring wells needed for plume definition and other factors beyond their reasonable control.
7. The Board grants these extensions with the understanding that the discharger is committed to achieving full compliance with the revised submittal dates.
8. This project constitutes a minor modification to land and such activity is thereby exempt from the provisions of the California Environmental Quality Act under Section 15304, Title 14, of the California Administrative Codes.
9. The Board has notified the discharger and interested persons and agencies of its intent to prescribe revised waste discharge requirements for the discharger.
10. The Board in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED, that this Board's Order No. 85-44 is amended as follows:

A. Provision C.1. is revised to read as follows:

The discharger shall report to the Board by August 1, 1986 on the proposed method of treatment and discharge of extracted groundwater from the interim cleanup program. The onsite groundwater extraction and treatment program shall commence operation on November 1, 1986.

B. Provision C.2. is revised to read as follows:

The discharger shall prepare quarterly data reports, commencing on February 1 1987, which document their progress toward compliance with the Provisions specified in this Order, including specific actions taken and actions proposed prior to the next report. These quarterly reports will also contain any information specified in self-monitoring programs approved by the Executive Officer. Assessments of the effectiveness of the cleanup program shall be provided in biannual reports commencing on May 1, 1987. These biannual reports shall include pollution concentration contour maps.

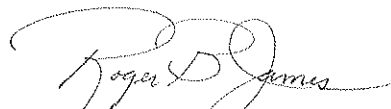
C. Provision C.3.c is revised to read as follows and Provision C.3.d is added:

TASK	COMPLIANCE DATE
c. If the lateral and vertical extent of groundwater pollution can not be adequately defined from the results contained in the Phase III report, submit a proposal for completing this task.	August 8, 1986
d. Complete the work described in the approved proposal for Provision C.3.c and submit a final report discussing the results of completing the proposal.	Within 20 weeks after receiving the Executive Officer's approval of the proposal provided under Provision C.3.c.
D. Provision C.5. is revised as Provision C.5.a to read as follows and Provisions C.5.b and C.5.c are added: In order to comply with Specification B.5., the discharger shall meet the following compliance time schedule:	

TASK	COMPLIANCE DATE
a. Submit a report which evaluates interim remedial measure alternatives for the entire groundwater plume and which contains a recommended plan for the Executive Officer's consideration.	July 1, 1987
b. Complete construction and implement and operate an interim remedial measure acceptable to the Executive Officer.	Within 20 weeks after receiving the Executive Officer's approval of the proposal provided under Provision C.5.a.
c. Submit a report evaluating final remedial measures and recommending which additional measures, if any, should be implemented.	Within 14 months of complying with Provision C.5.b.

The evaluation of final remedial measures will include a projection of the cost, effectiveness, and benefits of each measure and will be based upon Subpart F of the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR Part 300) and upon Section 25356.1 (c) of the California Health and Safety Code.

I, Roger B. James, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on July 16, 1986.



ROGER B. JAMES
Executive Officer